

September 15, 2006

In the matter of:
The Pittsburg and Midway Coal Mining Company
(Formerly North River Energy Company)
North River No. 1 Mine
ID No. 01-00759

Petition for Modification

<u>Docket No.</u>	<u>30 CFR Standard</u>	<u>Granted</u>	<u>Finalized</u>
M-1984-071-C	75.1103-4(a)	April 11, 1985	June 3, 1985

PROPOSED DECISION AND ORDER TO REVOKE

The subject petition for modification was granted to the North River Mine in April 1985. The approval required a low-level carbon monoxide detection system to be installed in all belt entries used as intake air courses. MSHA records indicate that this mine does not use the belt entry as an intake air course and does not utilize a carbon monoxide detection system. Therefore, the modification is not needed at the referenced mine. Wherefore, pursuant to the authority delegated by the Secretary of Labor to the Administrator for Coal Mine Safety and Health, and pursuant to section 101(c) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 811(c), the modification as it applies to the referenced mine is hereby:

REVOKED

Pursuant to 30 CFR 44.52, revocations of the granted modifications will become final 30 days after service of this Proposed Decision and Order to Revoke, unless a hearing is requested on the Decision and Order. Any party to this action desiring a hearing on this matter must file in accordance with 30 CFR 44.14, within 30 days. The request for hearing must be filed with the Administrator for Coal Mine Safety and Health, 1100 Wilson Boulevard, Arlington, Virginia 22209-3939.

If a hearing is requested, the request shall contain a concise summary of the position on the issues of fact or law desired to be raised by the party requesting the hearing, including specific objections to the proposed decision. A party other than Petitioner who has requested a hearing shall also comment upon all issues of fact or law presented in the petition, and any party to this action requesting a hearing may indicate a desired hearing site.

If no request for a hearing is filed within 30 days after service thereof, the Order to Revoke will become final.

Terry L. Bentley
Chief, Division of Safety
Coal Mine Safety and Health